

PROBATE EXAMINER

DEFINITION

Under direction, the Probate Examiner examines files and documents in pending probate matters set for hearing in court, verifying proper form, content, accuracy and procedural requirements for compliance with statutes and local rules. Prepares analyses and reviews for judicial officers; works with attorneys and petitioners to resolve problems; and completes other duties as required. Effectively represents the Superior Court of California, County of San Luis Obispo and the Probate Court with the public, attorneys, parties, and representatives of other government agencies and court systems.

DISTINGUISHING CHARACTERISTICS

This single level classification is responsible for providing technical, procedural and legal review to ensure that matters before the court have proper notice and complete documents for a court ruling and makes recommendations to the judicial officer. The incumbent operates with a high level of independence within the tasks assigned.

TYPICAL TASKS

- review accounts for: mathematical accuracy; format compliance; investments; sufficient bond and compliance with prior court orders, breach of fiduciary duties and recommend appropriate surcharge;
- set matters on calendar for hearing; all accounts, OSC's and other matters as appropriate;
- understand, interpret, and apply pertinent provisions of statutes, rules, and policies including best interest criteria applicable to probate cases;
- perform a variety of complex document and case analysis;
- review attorney fee requests for reasonableness following established guidelines recommending payment or reductions as appropriate;
- review and approve applications from private conservatorship fiduciaries;
- answer questions in person and by telephone about probate procedures, calendars, and specific cases;
- perform legal research of statutes and case law pertaining to probate matters;
- prepare written analyses and calendar notes for judicial officers, set forth the facts of each matter before the court, summarize the legal factors and any issues and make recommendations for action;
- review the probate calendar with the probate judicial officers;

- record tentative decisions and provide information regarding complex, contested or otherwise difficult cases;
- monitor changes to probate law; recommend policy, rules and procedural changes required for compliance, and institute such modifications after approval;

EMPLOYMENT STANDARDS

Knowledge of:

- provisions of the California Probate Code, Code of Civil Procedure, Rules of Court, San Luis Obispo Local Rules and other statutes relevant to document examination for probate cases;
- legal terminology and pleadings relevant to probate cases;
- probate forms and procedures pertaining to case evaluation and processing;
- accounting and auditing skills;
- understanding of financial investments/transactions;
- personal computers and operation of standard office equipment.

Ability to:

- determine acceptability of legal documents for filing;
- examine and determine if the contents of probate files are consistent with statutory procedural requirements;
- identify need for judicial action;
- effectively communicate findings both orally and in writing;
- complete assigned activities within time frames, organize priorities and tasks with minimum supervision and direction;
- maintain confidential information when required by legal and ethical standards;
- communicate effectively to establish and maintain effective working relationships.

PHYSICAL CHARACTERISTICS

Strength, dexterity, coordination and vision to use a keyboard and video display terminal on a daily basis. Hearing to communicate. Flexibility to reach or grasp equipment and supplies surrounding desk. Occasional lifting of objects weighing up to 10 lbs., such as files, stacks of papers, reference and other materials. Moving from place to place within an office; sitting for prolonged periods of time.

EXPERIENCE/EDUCATION

A) Graduation from an accredited college or university with a degree in social science, accounting, and business or a closely related field with two (2) years direct experience working with documents and procedures related to probate cases, **OR**: **B)** Five (5) years of responsible work experience as a paralegal performing legal and financial document examination and analysis and direct experience working with documents and procedures related to probate cases. Spanish speaking preferred.

This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.